

SCPD POLICY AND LAW COMMITTEE MEETING MINUTES
MARCH 9, 2017 – 1 PM
SMYRNA REST AREA - SMYRNA, DE

Members Present: Daniese McMullin-Powell, SCPD, Co-Chair; Marge Turner, DSAAPD, Co-Chair; Deb Bradl, DVI; Kathie Cherry, GACEC; Brian Hartman, DLP; Nick Fina, SCPD; Pat Maichle, DDC; Bill Payne, GACAAPD; Wendy Strauss, GACEC; John McNeal, SCPD Staff; and Amber Rivard, Support Staff.

CALL TO ORDER

Marge called the meeting to order 1:16 PM.

ADDITIONS OR DELETIONS TO THE AGENDA

None

APPROVAL OF MINUTES

Brian made a motion to approve the February 9, 2017 minutes and Pat seconded the motion. The February 9th minutes were approved as submitted.

REVIEW OF REGULATIONS AND LEGISLATION

1. DMMA Prop. Medicaid Eligibility of Former Foster Youth Reg. [20 DE Reg. 694 (3/1/17)] – Brian made a motion to endorse the proposed regulation and Pat seconded the motion. Motion carried.
2. DLTCRP Proposed CNA Regulation [20 DE Reg. 693 (3/1/17)] – Brian made a motion to share observations with DLTCRP and Pat seconded the motion. Motion carried. These observations will be also shared with Beth Mineo/CDS. Daniese commented about attendants not knowing how to use the Hoyer lift or refusing to use it.
3. DOE Scholarship Incentive Program [20 DE Reg. 685 (3/1/17)] – Brian made a motion to share observations with DOE and SBE and Pat seconded the motion. Motion carried.
4. H.B. No. 50 (School Nurse Funding) – Brian made a motion to endorse the proposed legislation and Pat seconded the motion. Motion carried. There was discussion about a school not having a school nurse and a student having a 504 IEP which requires access to a nurse. Brian commented that they would be violating the IEP, although most IEPs do not say a nurse is required; it would say nursing services.
5. S.B. No. 19 (Disadvantaged Students Pilot) - Brian made a motion to endorse the proposed legislation subject to recommending consideration of some variations in forms of support. Pat seconded the motion. Motion carried.

6. H.B. No. 24 (School Attendance) – Brian made a motion to endorse the proposed legislation and Pat seconded the motion. Motion carried.

7. H.B. No. 49 (School Construction Safety) - Brian made a motion to reach out to the prime sponsor to request the introduction of a confirming amendment and condition any endorsement on introduction of the amendment. SCPD will also reach out to the Department of Safety & Homeland Security and AAB to reinforce the request. Pat seconded the motion. Motion was carried. John commented about the large amount of work put upon AAB with one staff person and several volunteer board members. There was some discussion on what is an unsafe environment. Pat added that Safety & Homeland Security has done safety reviews of schools, but they are not being made public and every school has a school safety plan.

8. H.B. No. 11 (Removal of Bar on TANF Eligibility Based on Drug Conviction) – Brian made a motion to share a positive analysis of this initiative with policymakers and Pat seconded the motion and motion was carried.

9. S.B. No. 12 (Motorcycle Lighting Equipment) – Brian made a motion to endorse the proposed legislation as a disability prevention initiative and share courtesy copies with the Departments of Transportation and Safety & Homeland Security. Pat seconded the motion and motion was carried.

OTHER BUSINESS

Draft Moped Legislation (handout)

Brian gave background information. Moped drivers are not required to wear a helmet unless under 16 years of age, although operators of bicycles, skateboards, scooters, all-terrain vehicles or electronic assisted device are required to wear a helmet up to age 18. The draft legislation brings the age requirement to wear a helmet to 18. He noted that this is a success for the Brain Injury Committee. Brian is still waiting to hear from Nemours for their support of this legislation. Brian made a motion that the Policy & Law Committee follow-up with the recommendation of the Brain Injury Committee in that the SCPD seek sponsorship (depending on what Committee). Pat seconded the motion and the motion was carried.

Accessible Parking Legislation

Brian spoke about a recent meeting held with Senator Nicole Poore, representatives from the various Chambers of Commerce, Laura Waterland, Daniese and John regarding the Accessible Parking legislation. Brian noted that there is a lot of opposition to the legislation and it will probably not move forward. Another option is to get a County Ordinance changed which allows once a parking spot is striped, it does not have to be restriped, which is against federal law and ADA. One suggestion is a permit would have to be required under County Ordinance. Suggestion was made to set up a meeting with the New County Executive Matt Meyer. Pat stated that Representative Hudson offered to

assist with this. There is a new County Executive in New Castle County and set up a meeting with Matt Meyer. John spoke about litigation being possible first before this. Bill spoke about the lack of compliance regarding lack of accessible parking in Sussex County. John spoke about having an Annual Statewide ADA Summit, involving municipalities and private businesses and that we need to educate and inform, including State agencies. The DDC and DelDOT could be involved in this initiative, along with other groups. John commented that Secretary Coupe is meeting with Governor Carney about the lack of ADA compliance throughout the State. John and Secretary Coupe will meet with the Governor and Lt. Governor in the near future.

ANNOUNCEMENTS

None

ADJOURNMENT

The meeting was adjourned at 2:27 PM.

Respectfully submitted,

Jo Singles
Support Staff

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